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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	2:98CR 0278ST
Plaintiff,	:	GOVERNMENT'S OBJECTION TO THE REPORT AND RECOMMENDATION
	:	
TERRENCE DUNNE, et al.,	:	
Defendant(s).	:	

The United States, by the undersigned Assistant United States Attorney, states that it has

no objection to the Report and Recommendation of the United States Magistrate Judge in this

case, with the following exception: The Report and Recommendation states that the United

States may not rely on the republication doctrine because to do so would cause a variance with

the facts alleged in the indictment. The Report and Recommendation ignores the allegation of

Count Five of the indictment incorporating the factual allegations of paragraphs 1 through 7 of

Count Four of the indictment. Paragraphs 1 through 7 of Count Four of the indictment discuss

the audited financial statements included in and filed with Panworld's 1994 annual report, filed

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with the SEC. The United States contends that these allegations sufficiently presented the theory

that the defendant's conduct occurred at the time of the filing of the annual report.

DATED this 18th day of October, 2000.

                                        STEPHEN J. SORENSON
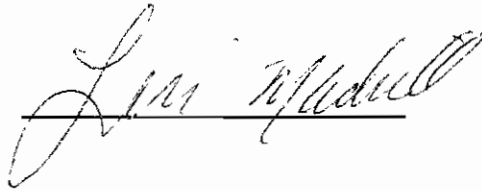   Acting United States Attorney

                                        STEWART C. WALZ
                                        Assistant United States Attorney
                                        LESLIE J. HENDRICKSON
                                        Special Assistant United States Attorney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the United States Attorney's Office, and

that a copy of the foregoing GOVERNMENT'S OBJECTION TO THE REPORT AND

RECOMMENDATION was mailed to all parties named below, this /8 day of October, 2000.

Walter Bugden
Bugden, Collins & Morton
4021 S. 700 E. Suite 400
Salt Lake City, UT 84107

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